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Attorneys for Plaintiff Sukhjinder S. Basra

17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**
19 **WESTERN DIVISION**
20

21 SUKHJINDER S. BASRA,

22 Plaintiff,

23 v.

24 MATTHEW CATE, Secretary of the California
Department of Corrections and Rehabilitation, in
25 his official capacity, and TERRI GONZALEZ,
Warden of the California Men's Colony, in her
26 official and individual capacities,

27 Defendants.
28

Case No.: CV11-01676 SVW(FMOx)

DECLARATION OF PROFESSOR
GURINDER SINGH MANN IN
SUPPORT OF PLAINTIFF
SUKHJINDER S. BASRA'S MOTION
FOR A PRELIMINARY INJUNCTION

Honorable Stephen V. Wilson

Hearing Date: March 21, 2011
Time: 1:30 p.m.
Courtroom: 6

Complaint Filed: February 25, 2011

1 I, Professor Gurinder Singh Mann, declare as follows:

2 1. I have personal knowledge of the facts set forth in this declaration and if called
3 as a witness, could and would testify competently to them.

4 2. I am Professor of Sikh Studies and Director of Center for Sikh and Punjab
5 Studies at the University of California, Santa Barbara. My teaching and research interests
6 focus on Sikhism, Punjabi language, and religion and society of the Punjab. My publications
7 include *The Goindval Pothis* (Harvard Oriental Series 51, 1997); *The Making of Sikh*
8 *Scripture* (Oxford University Press, 2001); and *Sikhism* (Prentice Hall, 2004). I have
9 coauthored *Buddhists, Hindus, and Sikhs of America* (Oxford University Press, 2001), and
10 *Introduction to Punjabi* (Punjabi University, 2011). My current projects include
11 *Introduction to Sikhism* (Cambridge University Press), a series of translations of early Sikh
12 texts, and making the teaching of Punjabi available on the internet. A copy of my curriculum
13 vitae is attached to this declaration as Exhibit 1.

14 3. I submit this declaration in support of Plaintiff's motion for preliminary
15 injunction and to explain how for Sikhs, keeping hair and beards uncut is the central item of
16 their religious code.

17 4. A community of twenty five million people, Sikhs ("followers") represent the
18 youngest and least well known of the world's monotheistic traditions. Historically associated
19 with the Punjab, a region in northwestern India and in Pakistan, Sikhs today live in lands as
20 far-flung as Australia, East Africa, Western Europe, and North America.


21 5. Guru Nanak founded the Sikh community in the 1520s, and it expanded in the
22 subsequent decades under the leadership of his nine successors.

23 6. Around 1600, the Sikhs developed differences with the Mughal rulers of the
24 time that resulted in the execution of two Sikh Gurus. In response to this development, Guru
25 Gobind Singh renamed the Sikh community as the Khalsa, "the pure," and assigned it the
26 responsibility of bringing down the Mughals and help establish a just political order.

27 7. Created around 1700, texts such as Sainapati's *Sri Gursobha* and Chaupa
28 Singh's *Rahitnama* report the expansion of the earlier Sikh code of practice to include the

1 carrying of five K's on one's person: uncut hair (*kes*), comb (*kangha*), sword (*kirpan*), steel
2 bracelet (*karha*), and long shorts (*kachha*). The injunction to keep the hair uncut included all
3 bodily hair, head, and face, and it was rooted in Sikh belief in the sanctity of the body -- the
4 divine temple not to be desecrated; the comb represented the need to keep the hair clean.
5 Keeping long hair was also a cultural marker of royalty at that time, and its incorporation
6 into the Sikh code reflected the Sikh understanding of the community's social status
7 and pride in its visible identity. Since 1700, the Sikhs have adhered to this normative
8 tradition even at the expense of their life when challenged

9 I declare under penalty of perjury that the foregoing is true and correct. Executed
10 February 15, 2011 in Santa Barbara, California.

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13 Gurinder Singh Mann
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EXHIBIT 1

GURINDER SINGH MANN

Curriculum Vitae

Address: Department of Religious Studies,
3051 Humanities and Social Science Building,
University of California, Santa Barbara, CA 93106
(805) 893-5115; <mann@religion.ucsb.edu>

Education: 1965-71 M A, English, Baring Union Christian College, Batala, Punjab
1974-75 Diploma in English Studies, CIEFL, Hyderabad, India
1975-76 M A, English, University of Kent at Canterbury, England
1984-87 Master of Theological Studies, Harvard University
1987-93 Ph D, Religion, Columbia University

Languages: Punjabi, Hindi, Urdu, Sanskrit, Hebrew, German

Employment: 1971-84 Lecturer, English, Baring Union Christian College, Batala, Punjab
1988-99 Instructor (88-92), Assistant Professor (92-97), and Associate Professor (97-99),
Religion, Columbia University
1997-09 Director, Columbia-UCSB Summer Program in Punjab Studies, Chandigarh, Pb.
1999- Kundan Kaur Kapany Professor of Sikh Studies, UC Santa Barbara
2004- Director, Center for Sikh and Punjab Studies, UC Santa Barbara

Teaching: RS 20 Indian Civilization
RS 60 Punjabi (Elementary-Advanced)
GS 104 Global Diasporas and Cultural Change
RS 162C Sikhism

Graduate: RS 213A Religion and Society in the Punjab
RS 213B The Sikh Tradition
RS 213C The Guru Granth
RS 213D Early Texts of the Sikh Tradition

Publications: 1996 *The Goinval Pothis* (Cambridge: Harvard Oriental Series 51)
2001 *The Making of Sikh Scripture* (New York: Oxford University Press;
New Delhi: OUP, 2001 [hardbound], 2003, 2006, 2009 [paperback])
2004 *Sikhism* (Prentice Hall: Religions of the World; 2007 [Japanese & Spanish eds.])
2011 *Introduction to Sikhism* (Cambridge: Cambridge University Press, forthcoming)

Coauthored: 2001 *Buddhists, Hindus and Sikhs in America*, coauthored with P. D. Numrich & R. B.
Williams, (New York: Oxford University Press; 2008 [paperback])
2011 *Introduction to Punjabi*, coauthored with Gurdit Singh, Ami P. Shah, Gibb
Schreffler, and Anne Murphy (Patiala: Punjabi University)

Edited Vols.: 1993 *Studying the Sikhs: Issues for North America*, edited with J S. Hawley, (SUNY Press)
2006 *Modern Punjabi Poetry*, edited a special issue of the *Journal of Punjab Studies* 13:1-2
2008 *Guru Gobind Singh*, edited a special issue of the *Journal of Punjab Studies* 15:1
2010 *W.H. McLeod*, edited a special issue of the *Journal of Punjab Studies* 17:1
2011 *Selected Essays of Piara Singh Padam* (Forthcoming)

Associations: 1988- Member, American Academy of Religions
1991- Advisor, Pluralism Project, Harvard University
2002-07 Advisor, Sikh Heritage Project, Smithsonian Museum of Natural History
2004- Co-editor, *Journal of Punjab Studies*, UC Santa Barbara
2006- Member, American Society of the Study of Religion
2009 Advisor, Sikh Heritage Exhibition, Museum of Natural History, Santa Barbara

PROOF OF SERVICE

I, Lisa Reynolds, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Alston & Bird LLP, 333 South Hope Street, Sixteenth Floor, Los Angeles, California, 90071. I am over the age of eighteen years and not a party to the action in which this service is made.

On March 3, 2011, I served the document(s) described as **DECLARATION OF PROFESSOR GURINDER SINGH MANN IN SUPPORT OF PLAINTIFF SUKHJINDER S. BASRA'S MOTION FOR A PRELIMINARY INJUNCTION** on the interested parties in this action by enclosing the document(s) in a sealed envelope addressed as follows: SEE ATTACHED SERVICE LIST

- ☒ BY MAIL: I am "readily familiar" with this firm's practice for the collection and the processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, the correspondence would be deposited with the United States Postal Service at 333 South Hope Street, Los Angeles, California 90071 with postage thereon fully prepaid the same day on which the correspondence was placed for collection and mailing at the firm. Following ordinary business practices, I placed for collection and mailing with the United States Postal Service such envelope at Alston & Bird LLP, 333 South Hope Street, Los Angeles, California 90071.
- ☐ UPS NEXT DAY AIR: I deposited such envelope in a facility regularly maintained by UPS with delivery fees fully provided for or delivered the envelope to a courier or driver of UPS authorized to receive documents at Alston & Bird LLP, 333 South Hope Street, Los Angeles, California 90071 with delivery fees fully provided for.
- ☐ BY FACSIMILE: I telecopied a copy of said document(s) to the following addressee(s) at the following number(s) in accordance with the written confirmation of counsel in this action.
- ☐ BY E-MAIL: I submitted an electronic version of this document and exhibits, if any, via PDF to all parties at their e-mail addresses on the attached Service List.
- ☐ [State] I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- ☒ [Federal] I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 3, 2011, at Los Angeles, California.



Lisa Reynolds

SUKHJINDER S. BASRA v. MATTHEW CATE, ET AL
USDC Case No. CV11-01676 SVW (FMOx)

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